

08-22-05

1632  
JEW

EV 705248005 US

August 19, 2005

USPS Express Mail Label Number

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: \_\_\_\_\_

Neely Jo Entwistle

PATENT  
Customer No. 22,852  
Attorney Docket No. 9724.0001.00000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Hajime HIRAMATSU et al. ) Group Art Unit: 1632  
Application No.: 10/522,789 ) Examiner: Not Yet Assigned  
Date of Receipt of 35 U.S.C. )  
Requirements: January 28, 2005 ) Confirmation No.: 9489  
For: THREE-DIMENSIONAL )  
STRUCTURE OF DIPEPTIDYL )  
PEPTIDASE IV )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the document on the attached listing, a copy of which is attached. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicants bring to the attention of the Examiner that the above-identified application is a U.S. national phase application under 35 U.S.C. 371 of international patent application number PCT/JP03/09523, which claims priority to U.S. provisional application number 60/398,761. The attached document is a certified English

translation of U.S. provisional application number 60/398,761. Applicants wish to make this document of record in the above-identified application.

Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

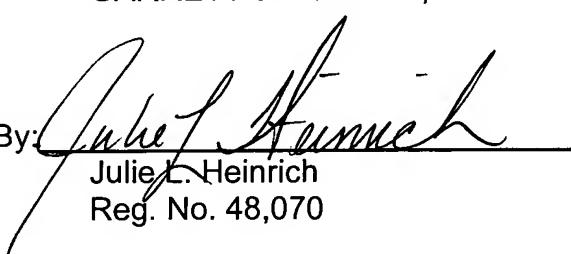
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

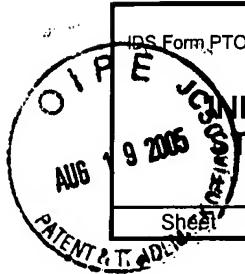
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 19, 2005

By:   
Julie L. Heinrich  
Reg. No. 48,070



<p>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(Use as many sheets as necessary)</i></p>				<b>Complete if Known</b>	
				<i>Application Number</i>	10/522,789
				<i>Filing Date</i>	January 28, 2005
				<i>First Named Inventor</i>	Hajime HIRAMATSU
				<i>Art Unit</i>	1632
				<i>Examiner Name</i>	Not yet assigned
				<i>Attorney Docket Number</i>	09724.0001-00000
Sheet	1	of	1		

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENT						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
	1	Certified English translation of U.S. provisional application number 60/398,761, filed July 29, 2002.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.